

## **COMMITTEE ON HUMAN RESOURCES/INSURANCE**

**November 15, 2005**

**5:45 PM**

Chairman Shea called the meeting to order.

The Clerk called the roll.

Present: Aldermen Shea, Sysyn, DeVries, Garrity, Forest

Messrs.: R. Ludwig, V. Lamberton, F. Rusczek, T. Clougherty

Chairman Shea stated we are going to take Item 9 first.

Alderman Sysyn moved to enter into non-public session to discuss a worker's compensation claim under the provisions of RSA 91-A:3 II(e). Alderman DeVries duly seconded the motion. A roll call vote was taken and it was unanimous.

On motion of Alderman DeVries, duly seconded by Alderman Sysyn it was voted to come out of non-public session. There was nothing discussed other than what the basis of the claim was.

Chairman Shea addressed Item 3 of the agenda:

Ratify and confirm poll conducted October 18, 2005 approving a waiver to the standard vacation allowance to provide four (4) weeks of vacation time to the Airport Security Manager candidate as part of a compensation package.

Chairman Shea stated I would like to call attention to the letter sent to us by the Human Resources Director and also the Mayor in that regard.

Alderman Forest moved to ratify and confirm the poll. Alderman Sysyn duly seconded the motion. Chairman Shea called for a vote. The motion carried with Alderman Garrity being duly recorded in opposition.

Chairman Shea addressed Item 4 of the agenda:

Communication from Virginia Lamberton, Human Resources Director,

recommending the City Hall Custodian position be reclassified to a new class specification to be called Building and Facilities Maintenance Coordinator from salary grade 8 to 13.

Alderman Forest moved to approve the recommendation. Alderman Sysyn duly seconded the motion.

Alderman Garrity stated just to follow my colleague to the right's comments here there is no question that this person works very hard. I just see a lot of upgrades and a lot of new positions on our agenda tonight. I think it is important that these at the very least be tabled until the new Mayor takes office. I don't think we should saddle the new Mayor with added costs.

Alderman Garrity moved to table. Alderman DeVries duly seconded the motion. Chairman Shea called for a vote. The motion carried with Aldermen Forest and Sysyn being duly recorded in opposition.

Chairman Shea addressed Item 5 of the agenda:

Communication from Virginia Lamberton, Human Resources Director, recommending update of the Cemetery Supervisor class specification.

Alderman DeVries stated I did want to ask the Parks & Recreation Director if he could clarify something for me. This is redoing the language of the position where a vacancy occurred. I just found as I read through the new class specification that it seems to be a little contradictory to me and I am hoping that you may be able to clarify some things. When I look at the deletion on page 2, the top of the page, it says, "serves as hand-on crew leader for". That is being deleted and is becoming "supervises maintenance operations" as well as when I look down at the bottom of the page the "skill and use of" is being deleted and replaced by "knowledge of". Both of those deletions and the new additions make me believe when I read through this that this is going to be a supervisory position without actually working in the field. I understand the position is...actually what you are looking to do is to make it more of a hands-on position. This is going to be a working individual or is this going to be a supervisor?

Ron Ludwig, Parks & Recreation Director, stated I think you have to understand some of the dynamics in the cemetery and what we have gone through. If you bear with me I will try to explain that to you. Over a period of time since this Yarger Decker study came into effect, we had a Director of the Cemetery. The Director's position was eliminated. We had an Assistant Director that became a Director. That position was eliminated and now we are down to this person. This person, quite frankly, while they do still participate out in the field in order for us

to attract a candidate in our opinion that we need to have at the cemetery that can do more of the administrative work and probably less of the hands-on work, which this position hasn't been doing we felt that this gives us a wider range of opportunities. Under this position at the cemetery in the absence of this person we are basically asking the person in the cemetery office to administer all of the work at the cemetery. That is what you are down to now.

Alderman DeVries responded I understand what you are saying but then I look at the third bullet down and it says they are still supervising and performing the work of maintenance crews. That is why I say to me the language just seems contradictory. Is this person administrative supervising or is he hands-on working? If I was looking to apply for the job reading this class specification, I think I would be confused. I am not trying to find fault, I am just saying I was confused reading through this trying to decide what it was you were creating.

Mr. Ludwig replied I guess we are trying to create a little bit more of an administrative position but not take it to a level where this person would be asking for an increase in terms of grade or salary. We didn't want to go quite that far.

Alderman DeVries asked based on that, I would like to ask Ms. Lamberton if she is comfortable that this language as in print here is not going to cause any conflict under the grading with Yarger Decker. Have you done the class review and point assignment?

Virginia Lamberton, Human Resources Director, answered yes we have. Primarily, as you know, it has been a supervisory job but due to the limited number of employees sometimes you have to go out in the field and do the work so it is a mix of both. No matter what, the person in the position is held responsible for the supervision and the operation of the cemetery.

Alderman DeVries asked and this is not an upgrade or for additional dollars correct. It is just a review and rewriting to make the job class specification current to meet your needs?

Mr. Ludwig answered yes.

Alderman Garrity asked so there is no fiscal impact.

Ms. Lamberton answered correct.

Alderman DeVries moved to approve the class specification update for the Cemetery Supervisor. Alderman Garrity duly seconded the motion. Chairman Shea called for a vote. There being none opposed, the motion carried.

Chairman Shea addressed Item 6 of the agenda:

Communication from Virginia Lamberton, Human Resources Director, requesting the establishment of a new class specification Painter, salary grade 13, and the establishment of two painter positions.

Alderman DeVries stated I have a statement I would like to make and I think it follows up on the point that was brought forward when we tabled Item 4. I do agree with that position that Alderman Garrity brought up that we ought to leave things that have a fiscal impact at least until the Mayor-Elect has the opportunity to review the budget. I have another level of concern and it is one I have been consistent with for the last two months. I have not heard definitively that we are going to be fine with our budget with the demands placed on us with the additional cost of oil heat, gas expenses, etc. We are still waiting to hear whether our budget is in line so consistent with my prior statements I would say that we should not, unless absolutely in an emergency situation, be adding anything at this point in time.

Alderman DeVries moved to table this item. Alderman Garrity duly seconded the motion. Chairman Shea called for a vote. The motion carried with Aldermen Forest and Sysyn being duly recorded in opposition.

Chairman Shea addressed Item 7 of the agenda:

Communication from Virginia Lamberton, Human Resources Director, requesting the establishment of a new class specification Health Assistant, salary grade 10.

Alderman Garrity asked is this grant funded.

Fred Rusczek, Health Director, stated the purpose of this class specification...well first to answer your question it is not grant funded. It is funded by the schools.

Alderman Garrity moved to table.

Mr. Rusczek stated the purpose is that in a couple of our schools we have a burgeoning population of children with special medical needs where it is impossible for a single school nurse to do the work on a day in, day out basis. What we are trying to accomplish here is to try to hire a lower level paid position to assist the school nurse, in particular Beech Street School where we have a high number of non-English speaking kids and a high number of kids with special

medical needs. At Northwest we are trying to enable the school nurse to get her job done in a 40-hour week.

Chairman Shea asked so this would be funded by the School District

Mr. Rusczek answered yes. The School District is working to keep kids with special medical needs and such within the School District because it saves money. This enables us to complete the work that is required.

Chairman Shea asked so they would be the funding source.

Mr. Rusczek answered yes.

Alderman DeVries stated I am ready to make a motion on this because this is an item that falls into my classification. It is actually going to save the School District money by them not having to outsource special needs students. It has been approved through their Finance Committee.

Alderman DeVries moved to approve the establishment of a new class specification Health Assistant, salary grade 10. Alderman Sysyn duly seconded the motion. Chairman Shea called for a vote. The motion carried with Alderman Garrity being duly recorded in opposition.

Chairman Shea addressed Item 8 of the agenda:

Communication from Leo Bernier, City Clerk, seeking recommendation to the full Board that the position of City Clerk be established at a Salary Grade 27, effective December 6, 2005.

Alderman Forest moved to send this to the full Board with a recommendation for approval. Alderman Sysyn duly seconded the motion. Chairman Shea called for a vote. The motion failed.

Alderman Forest moved to send a minority report to the full Board. This has been hanging around here for 18 months and we apparently have put Leo Bernier in the equation. This was not asked for by Leo Bernier. He is asking to send it to the Board now but this has been in this Committee and gone to the full Board and back again in the past 18 months. It is an error that was found. It should be corrected. I think now we can correct it and not cost the City extra money because if this goes to the Labor Board I believe Mr. Bernier has a good chance of winning I believe four, five or maybe six years of back pay here. I think this will save the money by correcting this error.

Alderman Garrity stated again the reason for my opposition is I think it should be dealt with in January when the Mayor-Elect takes office. I can't see that eight weeks is going to make a difference. We do have a process. It goes to the Committee first and if it fails the Committee, it fails the Committee.

Alderman Forest stated I have a right to ask for a minority report and I am asking that it go to the full Board.

### **TABLED ITEM**

10. Communication from Joan Porter, Tax Collector, relating to part-time employees.

This item remained on the table.

### **NEW BUSINESS**

Deputy City Clerk Johnson stated the first item of new business is a request for a new classification and new position that was submitted by Ms. Lamberton on behalf of Mr. Thomas and Tim Clougherty. It is for a Building Automation Specialist, Salary Grade 18.

Alderman DeVries asked is this funded under the School District budget.

Tim Clougherty, Chief Facilities Manager, stated this position will be funded in great part by school revenues, chargebacks – approximately 83%. The purpose of the position is primarily driven through the design-build project where we have upgraded our heating and ventilation systems in about 70% of the schools. It is...I don't want to say it is a highly technical system but it is a state-of-the-art facility management system and this individual would be responsible for making sure that the systems are operating properly and at a time right now where we are seeing such an energy crisis I think that the payback and return on investment that such an individual could bring to the table would offset the salary.

Alderman DeVries asked has the School District authorized this.

Mr. Clougherty answered yes. I don't know how much they have made people aware but they do have a committee established to study energy consumption and this was accepted with open arms and is part of the supplemental maintenance that was approved as part of our current budget.

Alderman DeVries stated I think on the Joint Schools Committee Meeting we heard much about our ability to keep up our warranties that are in place with all of

our new advanced equipment that has been installed. I would have to assume that this is an essential piece of us staying current on all of that.

Mr. Clougherty responded yes it is.

Alderman DeVries moved to approve the request.

Alderman Garrity asked in your opinion can this be put off until January.

Mr. Clougherty answered yes. The reason I worked with Virginia in order to get this out here tonight was because the Painters were on here. Quite frankly, this is a priority for us. All we are doing right now is establishing the class specification and not actually establishing the position. It still has to go to the full Board in order for us to fill that position. By no means was I looking to go out there and hire somebody tomorrow. We have to establish this class specification first and that would obviously give the new Mayor the opportunity to review the situation, discuss it and potentially pull it off the table if that is not something he wants to move forward with.

Chairman Shea stated so in other words what you are saying is you are establishing the classification and you will have to come back to whoever is on the Human Resources Committee next year in order to get all of the details worked out. Is that what you are saying? You said the full Board and I am not sure what you mean by that.

Mr. Clougherty responded my understanding is that it had to go to the full Board to be fully approved regardless. This is just establishing the class specification. Perhaps I am incorrect in that protocol.

Deputy City Clerk Johnson stated it requires an ordinance change. Any new position is going to require an ordinance change so it would go through the ordinance change process. It would go out to the Board and then Bills on Second Reading and go through that process.

Ms. Lamberton stated if you will look at the letter itself, it requests a new job classification and then it requests a new position with that job title. It is a joint request and it does have to go to the full Board. It comes here and then to the full Board and then to Bills on Second Reading and then back to the full Board. So it does take a little bit of time.

Chairman Shea asked so basically it doesn't come back to the Human Resources Committee once we establish the position.

Ms. Lamberton answered no, not the way I have constructed the letter.

Alderman Forest duly seconded the motion to approve the new class specification and new position of Building Automation Specialist, labor grade 18.

Chairman Shea called for a vote on the motion. The motion carried with Alderman Garrity being duly recorded in opposition.

Deputy City Clerk Johnson stated there is a second item of new business. It is a communication from Ms. Lamberton and approved by the Mayor to apply ordinance 33.079 (J) to Paul Borek, Economic Development Director and for Virginia Lamberton as well. The letter identifies vacation times.

Alderman Forest asked is it for the Airport Security Manager.

Deputy City Clerk Johnson answered no it is for them. I will read the letter.

Over the past several years, it has been difficult to recruit experienced individuals to apply for and accept Department Head and other high level positions within the current level of vacation time that is provided. Several individuals withdrew their applications when informed of the limited amount of time that they would have available to them. These individuals, including Mr. Borek and myself, were accustomed to having four to five weeks available to them due to their many years of experience and employment. Mr. Borek accepted his position with the understanding that the City would do something to increase the amount of time that he would be able to accrue. When I was considering accepting my position, I expected to be able to negotiate a higher amount of vacation time before accepting the position. Prior to having the opportunity, I was appointed by the Board of Mayor and Aldermen. Once I began working for the City, I realized that the Ordinance did not allow for that and did not pursue the matter. Now with the change in the Ordinance the provision for allowing a higher accrual, it is now proper for me to be requesting application of the new Ordinance to me as well as Mr. Borek.

You favorable approval of this request would be greatly appreciated.

s/Virginia Lamberton, Human Resources Director

Alderman Garrity stated somehow I knew this was going to happen when we did it for the Airport Security Manager. Everybody kept telling me no it is only for one person. Now we have two more people who want to increase their vacation time. This is why I was opposed to changing that ordinance and I strongly oppose this.



It is unacceptable this to come in at the end of a Human Resources meeting. That is unacceptable.

Alderman DeVries moved to table the request. Alderman Garrity duly seconded the motion. Chairman Shea called for a vote. The motion carried with Aldermen Forest and Sysyn being duly recorded in opposition.

There being no further business, on a motion of Alderman Garrity, duly seconded by Alderman DeVries it was voted to adjourn.

A True Record. Attest.

Clerk of Committee